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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Guohua Zhu, et al.,

Case No. CV 09-4208 JSW (LB)

Plaintiffs,

**STIPULATION, MOTION FOR
ADMINISTRATIVE RELIEF, AND
[PROPOSED] ORDER STAYING CIVIL
ACTION**

v.
UCBH HOLDINGS, INC., et al.,

Court: Hon. Jeffrey S. White
Rule: Civil Local Rule 7-11

Defendants.

**THE PARTIES TO THE ABOVE-ENTITLED ACTION HEREBY STIPULATE
TO AND MOVE FOR THE FOLLOWING RELIEF PURSUANT TO CIVIL
LOCAL RULE 7-11:**

1. This is a putative class action securities fraud lawsuit brought by plaintiff, Guohua Zhu, and others similarly situated, against UCBH Holdings, Inc., ("UCBH"), a formerly publicly traded company, and various former UCBH officers and directors, towit, Thomas Wu, Ebrahim Shabudin, Craig On, Robert Nagel, Douglas Mitchell, Daniel Gautsch, John Kerr, Burton Thompson, John Cinderey, Joseph J. Jou, Li-Lin Ko, Godwin Wong, David Ng, Daniel P.

1 Riley, Richard Li-Chung Wang, Dennis Wu and Thomas Yu (collectively, the “Individual
 2 Defendants”).

3 2. UCBH’s wholly-owned subsidiary, United Commercial Bank (“the Bank”), failed
 4 on November 6, 2009 and the FDIC was appointed receiver and sold the Bank’s assets to East
 5 West Bancorp. The FDIC has made a “no value” determination as to Bank assets, finding the
 6 assets of the Bank insufficient to distribute to general unsecured claims. Various governmental
 7 entities, including the U.S. Department of Justice, the FDIC and the SEC have conducted and
 8 continue to conduct investigations into the circumstances of the Bank’s failure.

9 3. On November 24, 2009, UCBH filed a petition for Chapter 7 bankruptcy in the
 10 U.S. Bankruptcy Court for the Northern District of California.

11 4. On September 15, 2011, two of the individual defendants in this civil case,
 12 Ebrahim Shabudin and Thomas Yu, were indicted in the Northern District of California on
 13 various criminal charges, including securities fraud. *United States v. Shabudin and Yu*, CR 11-
 14 664 JSW. On November 15, 2011, this Court determined that *United States v. Shabudin and Yu*
 15 was related to this civil case, as defined by Crim. L.R. 8-1(b), and ordered the Clerk of Court to
 16 reassign *United States v. Shabudin and Yu* to this Court. (CR 11-664 JSW, DKT # 23)

17 5. On November 13, 2012, upon the consent of the Individual Defendants in this
 18 civil case to produce documents that they had already produced to the FDIC, DOJ and the SEC,
 19 the Court entered an order staying discovery. (DKT # 302). On November 16, 2012, at the
 20 request of the Individual Defendants, the Court referred the case to a randomly-assigned United
 21 States Magistrate Judge for a settlement conference. (DKT # 305) On February 26, 2013,
 22 Magistrate Judge Laurel Beeler held a settlement conference with all parties. (DKT # 317).

23 6. Since the February 26, 2013 settlement conference, in a process facilitated by
 24 Magistrate Judge Beeler, the parties have continued to meet and confer concerning possible
 25 settlement of the case. (DKT #s 319-322; 327-331). The parties have determined that progress
 26 toward resolution of the case is unlikely before the outcome of *United States v. Shabudin and Yu*
 27 is known and that a stay of this civil case would best facilitate ultimate resolution.

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7. On June 3, 2014, this Court set a trial date of February 9, 2015 in *United States v. Shabudin and Yu* (CR 11-664 JSW, DKT # 188). On September 8, 2014, the Court set an October 7, 2014 change of plea hearing for Thomas Yu (CR 11-664 JSW, DKT # 207). The criminal case pending against Ebrahim Shabudin remains set for trial on February 9, 2015. All parties in this civil case hereby stipulate and move that this civil action be stayed in its entirety as to all parties until further order by the Court, to be entered after the conclusion of trial in *United States v. Shabudin and Yu*.

IT IS SO STIPULATED.

Dated: September 15, 2014

Respectfully submitted,
/s/
Laurence M. Rosen
THE ROSEN FIRM P.A.
Attorney for GUOHUA ZHU individually
and on behalf of all other similarly situated

Dated: September 15, 2014

Respectfully submitted,
/s/
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Attorney for THOMAS WU

Dated: September 15, 2014

Respectfully submitted,
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Dated: September 15, 2014

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Attorney for CRAIG ON

1 Dated: September 15, 2014

Respectfully submitted,

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7 Dated: September 15, 2014

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11 Dated: September 15, 2014

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16 Dated: September 15, 2014

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20 Dated: September 15, 2014

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DENNIS WU

Dated: September 15, 2014

Respectfully submitted,

/s/

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Attorney for THOMAS YU

ORDER

Pursuant to the foregoing stipulation and motion, and good cause appearing therefor, IT IS HEREBY ORDERED that this action is stayed in its entirety as to all parties until further order by the Court, to be entered after the conclusion of trial in *United States v. Shabudin and Yu.*

IT IS SO ORDERED

Dated: September 16, 2014

HON. JEFFREY S. WHITE
United States District Court Judge
Northern District of California